DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES IN JAMAICA

Preamble

Reaffirming that all indigenous peoples, including the Maroons and Taíno descendants in Jamaica, possess collective and individual human rights recognized under international law. Recognizing Jamaica's official vote on **September 13, 2007**, in support of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Section I: Land, Territory, and Natural Resources

1. **Right to Lands and Resources:** Indigenous peoples have the right to the lands, territories, and resources which they have traditionally owned, occupied, or otherwise used or acquired. States shall give legal recognition and protection to these lands and resources with due respect to traditional land tenure systems. *(UNDRIP Art. 26; ILO C169 Art. 14)*
2. **Protection from Dispossession and Relocation:** No relocation shall take place without free, prior, and informed consent (FPIC). Redress or fair compensation must be provided for confiscated or damaged traditional lands. *(UNDRIP Arts. 10, 28; ILO C169 Art. 16)*
3. **Environmental Protection:** Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands. Hazardous materials shall not be stored on their territories without FPIC. *(UNDRIP Art. 29; ILO C169 Art. 15)*

Section II: Self-Governance and Autonomy

1. **Self-Determination:** Indigenous peoples have the right to self-determination, autonomy, or self-government in matters relating to their internal and local affairs. *(UNDRIP Arts. 3, 4)*
2. **Customary Institutions and Systems:** The right to maintain and strengthen distinct political, legal, economic, social, and cultural institutions is guaranteed, while retaining the right to participate fully in the life of the State. *(UNDRIP Arts. 5, 33, 34; ILO C169 Art. 8)*
3. **Treaties and Agreements:** Indigenous peoples have the right to the recognition, observance, and enforcement of treaties, agreements, and other constructive arrangements concluded with States. *(UNDRIP Art. 37)*

Section III: Free, Prior, and Informed Consent (FPIC)

States shall consult and cooperate in good faith through representative institutions to obtain free, prior, and informed consent before adopting legislative measures or approving projects affecting their lands, territories, or resources. *(UNDRIP Arts. 19, 32; ILO C169 Art. 6)*

Official Articles in UNDRIP (Resolution 61/295)

- **Article 1:** Full enjoyment of all human rights and fundamental freedoms.
- **Article 2:** Freedom from discrimination based on origin or identity.
- **Article 3:** Right to self-determination.
- **Article 4:** Right to autonomy/self-government in local affairs.
- **Article 5:** Right to maintain distinct institutions and participate in the State.
- **Article 6:** Right to a nationality.
- **Article 7:** Right to life, security, and protection from genocide/removal of children.
- **Article 8:** Protection against forced assimilation and culture destruction.

- **Article 9:** Right to belong to an indigenous community/nation.
- **Article 10:** Protection against forcible removal without FPIC.
- **Article 11:** Right to practice and revitalize cultural traditions.
- **Article 12:** Spiritual, religious practices, and repatriation of remains.
- **Article 13:** Right to revitalize oral traditions, languages, and place names.
- **Article 14:** Right to establish educational systems in own languages.
- **Article 15:** Right to dignity of culture reflected in public education/media.
- **Article 16:** Right to establish media in own languages.
- **Article 17:** Labor rights and protection of children from exploitation.
- **Article 18:** Right to participate in decision-making.
- **Article 19:** State duty to consult to obtain FPIC for administrative/legislative acts.
- **Article 20:** Right to maintain economic, political, and social systems.
- **Article 21:** Improvement of economic and social conditions.
- **Article 22:** Protection for elders, women, youth, children, and disabled persons.
- **Article 23:** Right to determine priorities for development.
- **Article 24:** Health rights and traditional medicinal practices.
- **Article 25:** Spiritual relationship to land, waters, and coastal seas.
- **Article 26:** Right to lands, territories, and natural resources.
- **Article 27:** Adjudication process for land rights.
- **Article 28:** Right to redress and restitution for confiscated lands.
- **Article 29:** Environmental conservation and hazardous materials protection.
- **Article 30:** Restrictions on military activities on indigenous land.
- **Article 31:** Cultural heritage, traditional knowledge, and intellectual property.
- **Article 32:** Resource development strategies and FPIC requirements.
- **Article 33:** Identity and membership determination.
- **Article 34:** Maintenance of institutional structures and customary legal systems.
- **Article 35:** Community responsibilities.
- **Article 36:** Cross-border contacts and cooperation.
- **Article 37:** Enforcement of treaties and historic agreements.
- **Article 38:** Implementation measures by States.
- **Article 39:** Access to financial and technical assistance.
- **Article 40:** Dispute resolution mechanisms and fair remedies.
- **Article 41:** UN agency participation and mobilization.
- **Article 42:** Promotion and application by UN bodies.
- **Article 43:** Guarantee of minimum standards for survival and dignity.
- **Article 44:** Equal gender rights guarantee.
- **Article 45:** Protection against diminishing existing or future rights.
- **Article 46:** Preservation of State territorial integrity and fundamental human rights.

Verification of Jamaica's Vote Jamaica voted **In Favor** of adopting the United Nations Declaration on the Rights of Indigenous Peoples during the General Assembly's 107th plenary meeting on September 13, 2007 (recorded on page 19 of the official record).

- Direct Link to Evidence: A/61/PV.107 Official UN Record